

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY COMPANY :
as Administrator for RELIANCE :
INSURANCE COMPANY, :

Plaintiff, :

vs. :

DORMITORY AUTHORITY – STATE OF NEW YORK, :
TDX CONSTRUCTION CORP. and KOHN PEDERSEN :
FOX ASSOCIATES, P.C., :

Defendants. :

DORMITORY AUTHORITY OF THE STATE OF :
NEW YORK AND TDX CONSTRUCTION CORP., :

Third-Party Plaintiffs, :

vs. :

TRATAROS CONSTRUCTION, INC., :

Third-Party Defendant. :

TRATAROS CONSTRUCTION, INC. and TRAVELERS :
CASUALTY AND SURETY COMPANY, :

Fourth-Party Plaintiffs, :

vs. :

CAROLINA CASUALTY INSURANCE COMPANY; :
BARTEC INDUSTRIES, INC.; DAYTON SUPERIOR :
SPECIALTYCHEMICAL CORP. a/k/a DAYTON :
SUPERIOR CORPORATION; SPECIALTY :
CONSTRUCTION BRANDS, INC. t/a TEC; KEMPER :
CASUALTY INSURANCE COMPANY d/b/a KEMPER :
INSURANCE COMPANY; GREAT AMERICAN :
INSURANCE COMPANY; NATIONAL UNION :
FIRE INSURANCE COMPANY OF PITTSBURGH, PA; :
UNITED STATES FIRE INSURANCE COMPANY; :

Case No. 07-CV-6915 (DLC)
ECF CASE

**ANSWER TO
HARLEYSVILLE'S
CROSS-CLAIM**

ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.:	:
f/k/a COMMERCIAL UNDERWRITERS INSURANCE	:
COMPANY; ZURICH AMERICAN INSURANCE	:
COMPANY d/b/a ZURICH INSURANCE COMPANY;	:
OHIO CASUALTY INSURANCE COMPANY d/b/a	:
OHIO CASUALTY GROUP; HARLEYSVILLE	:
MUTUAL INSURANCE COMPANY	:
(a/k/a HARLEYSVILLE INSURANCE COMPANY);	:
JOHN DOES 1-20 AND XYZ CORPS. 1-20,	:
	:
Fourth-Party Defendants.	:
	:

Zurich American Insurance Company (“Zurich”), sued incorrectly herein as Zurich American Insurance Company d/b/a Zurich Insurance Company, by its attorneys Melito & Adolfsen P.C., answers the Cross-Claim of Fourth Party Defendant Harleysville Insurance Company of New Jersey, incorrectly sued as Harleysville Mutual Insurance Company (“Harleysville”), upon information and belief as follows:

1. Zurich denies the truth of the allegations contained in Harleysville’s Cross-Claim to the extent those allegations are directed against Zurich, denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations and refers all questions of law to the Court.

2. Zurich denies the Cross-Claim asserted by Harleysville in its entirety and, to the extent applicable, incorporates its affirmative defenses as set forth in its Answer to the Fourth Party Complaint.

WHEREFORE, Zurich demands judgment:

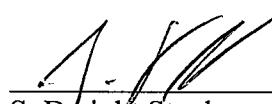
- (1) Dismissing with prejudice Harleysville’s Cross-Claim against Zurich in its entirety; or
- (2) Awarding Zurich its costs and attorneys’ fees incurred in the defense of this Cross-Claim; and

(3) Granting Zurich such other and further relief as this Court may deem just and proper.

Dated: New York, New York
February 21, 2008

MELITO & ADOLFSEN P.C.

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